

Exhibit C

In Re: Bard IVC Filters) MD-15-02641-PHX-DGC
Products Liability Litigation)
) Phoenix, Arizona
) May 18, 2018
Doris Jones, an individual,) 8:30 a.m.
)
Plaintiff,)
) CV 16-00782-PHX-DGC
vs.)
)
C.R. Bard, Inc., a New)
Jersey corporation; and Bard)
Peripheral Vascular, Inc., an)
Arizona corporation,)
)
Defendants.)
_____)

(Jury Trial - Day 4 - A.M. Session)
(Pages 720 through 861, inclusive.)

Proceedings Reported by Stenographic Court Reporter
Transcript Prepared by Computer-Aided Transcription

1 of questions?

2 THE COURT: Yeah. Otherwise, every objection we're
3 going to be searching for in that transcript to figure out how
4 I ruled. That's going to be impossible. And I'm going to use
5 my best judgment in this trial to make the rulings to
6 objections as --

7 MR. COMBS: That's fair, Your Honor. Now that I
8 understand, I understand.

9 THE COURT: Okay.

10 (In open court.)

11 THE COURT: Thank you, Ladies and Gentlemen.

12 BY MR. COMBS:

13 Q. Dr. Muehrcke, in Exhibit 2248, Page 20 here, there's a box
14 and a circle around some figures in a chart that talks about
15 unacceptable risk. Do you see that?

16 A. Yes, I do.

17 Q. If Bard's IVC filters, specifically the G2 Filter, had an
18 unacceptable risk, is that something you, as a treating
19 physician using G2 Filters and the filters after them like the
20 Eclipse Filter, that were the same design and performance as a
21 G2 Filter, is that information you would have wanted to know?

22 A. Absolutely.

23 Q. Why?

24 A. Because when I go to put a filter in the patient I have to
25 obtain an informed consent, and I have to tell them what the

1 risk/benefits alternatives are in the procedure, and I try to
2 use the best filter for the patient. And if I'm not aware of
3 what the best filter is when I talk to the patient then I'm
4 really not giving them the information that they need to know
5 to make a decision about whether to have the filter or not.

6 Q. And Doctor, what was the subsequent Bard model that came
7 out that replaced the Eclipse?

8 A. The Meridian Filter came out, I think, in 2011.

9 Q. What was the difference between the Eclipse Filter and the
10 Meridian Filter?

11 A. Well, the Meridian Filter had the caudal anchors.

12 MR. NORTH: Your Honor, I'm sorry. I hate to object
13 but it's not within the report.

14 THE COURT: Show me where it is in the report.

15 MR. COMBS: I will, Your Honor.

16 THE COURT: I have got the report. Just point it out
17 to me.

18 MR. COMBS: Bottom of case-specific opinions regarding
19 Doris Jones. It goes on to the next page.

20 THE COURT: Hold on just a minute, please.

21 The objection is overruled.

22 BY MR. COMBS:

23 Q. What was the difference between the Eclipse Filter and the
24 Meridian Filter?

25 A. So the Meridian Filter was the next iteration of the Bard

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C E R T I F I C A T E

I, LAURIE A. ADAMS, do hereby certify that I am duly appointed and qualified to act as Official Court Reporter for the United States District Court for the District of Arizona.

I FURTHER CERTIFY that the foregoing pages constitute a full, true, and accurate transcript of all of that portion of the proceedings contained herein, had in the above-entitled cause on the date specified therein, and that said transcript was prepared under my direction and control.

DATED at Phoenix, Arizona, this 18th day of May, 2018.

s/Laurie A. Adams

Laurie A. Adams, RMR, CRR